

~~OR--OTHERWISE--PROPERLY--DISPOSED-OF, A PERSON MAY NOT STORE USED TIRES IN THIS STATE.~~

(A) A PERSON MAY NOT STORE USED TIRES IN THE STATE UNLESS THE PERSON DEMONSTRATES TO THE SATISFACTION OF THE DEPARTMENT THAT, WITHIN 90 DAYS OF THE TIME THAT THE PERSON STORES THE USED TIRES, THE USED TIRES WILL BE:

(1) RETURNED TO THE MARKETPLACE;

(2) USED AS FUEL IN AN APPROVED RESOURCE RECOVERY INCINERATOR; OR

(3) OTHERWISE PROPERLY DISPOSED OF.

~~(B) UNLESS A PERSON STORES OR RECYCLES USED TIRES IN A MANNER--APPROVED--BY--THE--DEPARTMENT MAKES THE DEMONSTRATION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION, A PERSON SHALL DISPOSE OF USED TIRES IN THIS STATE IN A REFUSE DISPOSAL SYSTEM OR--RESOURCE--RECOVERY--INCINERATION--PLANT APPROVED BY THE DEPARTMENT FOR THE DISPOSAL OF USED TIRES.~~

9-229.

(A) UNLESS THE SECRETARY DETERMINES THAT A REMOVAL AND REMEDIAL ACTION WILL BE DONE PROPERLY AND IN A TIMELY MANNER BY THE OWNER OR OPERATOR OF A SITE OR ANY OTHER PERSON WHO CAUSED USED TIRES TO BE STORED OR DISPOSED OF AT THE SITE WHERE USED TIRES ARE STORED OR DISPOSED OF, IF USED TIRES ARE STORED OR DISPOSED OF AT A SITE IN A MANNER THAT MAY PRESENT A THREAT TO THE PUBLIC HEALTH OR ENVIRONMENT, THE SECRETARY MAY:

(1) ACT TO REMOVE OR ARRANGE FOR THE REMOVAL OF THE USED TIRES AND PROVIDE FOR REMEDIAL ACTION NECESSARY TO RESTORE ANY NATURAL RESOURCES; OR

(2) TAKE ANY OTHER RESPONSE MEASURE THAT THE SECRETARY CONSIDERS NECESSARY TO PROTECT THE PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT.

(B) NOTHING IN THIS SECTION SHALL PROHIBIT THE SECRETARY FROM ABATING A NUISANCE UNDER THE PROVISIONS OF TITLE 10 OF THIS ARTICLE, REGARDLESS OF THE VOLUME OF USED TIRES STORED.

9-271. Reserved.

9-272. Reserved.

PART VI. STATE USED TIRE CLEANUP AND RECYCLING FUND

9-273.

THERE IS A STATE USED TIRE CLEANUP AND RECYCLING FUND.